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7
8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10
11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 CARSON SHANE WILHITE,
15 Defendant.

CASE NO. 1:20-CR-00106-JLT-SKO

PRELIMINARY ORDER OF
FORFEITURE

16
17 Based upon the plea agreement entered into between the United States of America and defendant
18 Carson Shane Wilhite, it is hereby ORDERED, ADJUDGED, AND DECREED as follows:

19 1. Pursuant to 18 U.S.C. § 924(d)(1), 21 U.S.C. § 853(a), and 28 U.S.C. § 2461(c), defendant
20 Carson Shane Wilhite's interest in the following property shall be condemned and forfeited to the United
21 States of America, to be disposed of according to law:

- 22 a. One Springfield, model XDM, .40 caliber pistol, serial number MG314972;
23 b. One AR-15 style weapon, .223 caliber, no serial number; and,
24 c. Any and all ammunition seized during the underlying investigation.
25 2. The above-listed property constitutes firearms and ammunition involved in or used in a
26 knowing violation of 18 U.S.C. § 924(c)(1)(A), and is derived from proceeds obtained, directly or
27 indirectly, as a result of a violation of 21 U.S.C. §§ 846, 841(a)(1) and 841(b)(1)(D), and/or was used, or
28 intended to be used, in any manner or part to commit or to facilitate the commission of a violation of 21

U.S.C. §§ 846, 841(a)(1) and 841(b)(1)(D).

3. Pursuant to Rule 32.2(b), the Attorney General (or a designee) shall be authorized to seize the above-listed property. The aforementioned property shall be seized and held by the U.S. Forest Service, in their secure custody and control.

4. a. Pursuant to 28 U.S.C. § 2461(c), incorporating 21 U.S.C. § 853(n), and Local Rule 171, the United States shall publish notice of the order of forfeiture. Notice of this Order and notice of the Attorney General's (or a designee's) intent to dispose of the property in such manner as the Attorney General may direct shall be posted for at least thirty (30) consecutive days on the official internet government forfeiture site www.forfeiture.gov. The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of the order of forfeiture as a substitute for published notice as to those persons so notified.

b. This notice shall state that any person, other than the defendant, asserting a legal interest in the above-listed property, must file a petition with the Court within sixty (60) days from the first day of publication of the Notice of Forfeiture posted on the official government forfeiture site, or within thirty (30) days from receipt of direct written notice, whichever is earlier.

5. If a petition is timely filed, upon adjudication of all third-party interests, if any, this Court will enter a Final Order of Forfeiture pursuant to 18 U.S.C. § 924(d)(1), 21 U.S.C. § 853(a), and 28 U.S.C. § 2461(c), in which all interests will be addressed.

IT IS SO ORDERED.

Dated: **November 21, 2022**


UNITED STATES DISTRICT JUDGE